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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/475,664 12/30/1999		Masahiro Nakata	P18495.A01	6666	
7055	7590 05/09/2005		EXAMINER		
	JM & BERNSTEIN, P JD CLARKE PLACE	HANNETT, JAMES M			
RESTON, V.			ART UNIT	PAPER NUMBER	
- ,			2612		
			DATE MAILED: 05/00/200	•	

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)		
09/475,664	NAKATA ET AL.		
Examiner	Art Unit		
James M. Hannett	2612		

THE REPLY FILED 27 April 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. 1. ☑ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file on or of the following regiles: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 1.1143. The reply must be filed within one of the following time periods: (3) a Requested for continued Examination (RCE) in compliance with 37 CFR 1.1143. The reply must be filed within one of the following time periods: (b) ☐ The period for reply expires on: (1) the making date of the final rejection. (c) ☐ The period for reply expires on: (1) the making date of the final rejection. (c) ☐ The period for reply expires on: (1) the making date of the final rejection. (c) ☐ The period for reply expires on: (1) the making date of the final rejection. (c) ☐ The Period for reply expires on: (1) the making date of the final rejection, whichever is late. In no exert, however, with the studenty period for reply expirately set in the final of rejection. (c) ☐ The Period Carlow and the period of defension and the corresponding amount of the fee. The appropriate demands for the national fee is the date for purpose of determining the period of defension and the corresponding amount of the fee. The appropriate expension date of the solder of filing the Notice of Appeal was filed on A period of the filing	before the rilling of all Appear	Dilei	Examiner	Art Unit					
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1. ☑ The reply was filled after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affdavit, or other devines, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 1.13f; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.116. The reply must be filed within one of the following time periods: a) ☑ The period for reply expires ②, months from the mailing date of the final rejection. b) ☐ The period for reply expires 0.11 (1) the mailing date of the final rejection, reply expires on: (1) the mailing date of the final rejection, even, however, will the statudop period for reply expire later times XM MONTHS from the mailing date of the final rejection, becaminer Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE RIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 766.07(). Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fire. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shorteened statutory period for reply originally set in the final direction, even if firms (filed extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fire. The space advantage of the shorteened statutory period for reply originally set in the final direction, even if firms (filed and filed with the final direction) and the period of the filed within the final direction, even if firms (filed and filed within the filed within the time period set forth in 0.3 can obtain a filed within the time period set forth in 1.0	The MAILING DATE of this commu	nication appe	ars on the cover sheet with the	correspondence add	ress				
this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 4.131; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods: a) The period for reply expires 3 months from the mailing date of the Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. Examiner Note: If Not it is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRAL REJECTION. See MPEP 766.07(i). Extensions of time may be obtained under 37 CFR 1.3(6). The date on which the petition under 37 CFR 1.13(6) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of the shared statutory period for rejection, even if timely filed, may reclude any extension the mailing date of the final rejection, even if timely filed, may reclude any extension the mailing date of the final rejection, even if timely filed, may reclude any extension the mailing date of the final rejection, even if timely filed, may reclude any extension the mailing date of the final rejection, even if the date of filing a hold of the final date of the final date of the final date of the final date of t	THE REPLY FILED 27 April 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.								
b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, with the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. Examiner Note: If box 1 is checked, check either box (6) or (6). ONLY CHECK BOX (6) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 708 G07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 GFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL. 2. The Notice of Appeal was filed on	1. The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the								
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Examiner Note: If box 1 is checked, cheek either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAR REJECTION. See MPEP 70807(f). Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (3) and (3) are previously set in the final original properties. The final compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal and Set for filing and prief, and the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a). AMENDMENTS AMENDMENTS AMENDMENTS Short proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) They raise new issues that would require further consideration and/or search (see NOTE below); (b) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal, and/or (d) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal, and/or a difference in integration. Actional forms 10.14.28 and 32 which states that the correction value to correct a difference in integration characteristics among the pulsarity of monitor means requires further search and consideration. (See 37 CFR 1.116 and 41.33(a)). Applic									
been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17a(s) accelerate from (i) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (i) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any searned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL □ The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a). AMENDMENTS 3. ☑ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) ☑ They raise new issues that would require further consideration and/or search (see NOTE below); (b) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal, and/or (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims. NOTE: The added Claims 42.45 and the added limitation to claims 10.11.28 and 32 which states that the correction value to correct a difference in integration characteristics among the plurality of monitor means requires further search and consideration. (See 37 CFR 1.116 and 41.33(a)). 1. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324). 2. ☐ Applicant's reply has overcome the following rejection(s): ☐ See apply and failing t	Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO								
of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a). AMENDMENTS 3. ☑ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) ☑ They raise new issues that would require further consideration and/or search (see NOTE below); (b) ☐ They raise the issue of new matter (see NOTE below); (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims. NOTE: The added Claims 42-45 and the added limitation to claims 10.14.28 and 32 which states that the correction value to correct a difference in integration characteristics among the plurality of monitor means requires further search and consideration. (See 37 CFR 1.116 and 41.33(a)). 4. ☐ The amendments are not in compliance with 37 CFR 1.21. See attached Notice of Non-Compliant Amendment (PTOL-324). 5 Applicant's reply has overcome the following rejection(s):	Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).								
3.	2. The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal.								
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Consideration (See 37 CFR 1.116 and 41.33(a)). 4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324). 5. ☐ Applicant's reply has overcome the following rejection(s): 6. ☐ Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s). 7. ☑ For purposes of appeal, the proposed amendment(s): a) ☑ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows: Claim(s) allowed:									
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the non-allowable claim(s). For purposes of appeal, the proposed amendment(s): a) \(\text{ will not be entered, or b)} \) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: \(\frac{24.27,38}{24.27,38} \) and \(41. \) Claim(s) rejected: \(\frac{10-17.22,23.25,26,28-37,39}{25.26,28-37,39} \) and \(40. \) Claim(s) withdrawn from consideration: AFFIDAVIT OR OTHER EVIDENCE 8. \(\proceen \) The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will \(\frac{not}{not} \) be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e). 9. \(\proceen \) The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will \(\frac{not}{not} \) be entered because the affidavit or other evidence failed to overcome \(\frac{not}{not} \) rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1). 10. \(\proceen \) The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached. REQUEST FOR RECONSIDERATION/OTHER 11. \(\proceen \) The request for reconsideration has been considered but does NOT place the application in condition for allowance because: 12. \(\proceen \) Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s).		=							
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how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: 24.27.38 and 41. Claim(s) rejected: 10-17.22.23.25.26.28-37,39 and 40. Claim(s) withdrawn from consideration: AFFIDAVIT OR OTHER EVIDENCE 8. The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e). 9. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1). 10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached. REQUEST FOR RECONSIDERATION/OTHER 11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because: 12. Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). RABBER NOTE THAT EXAMINER		andmont(s): s)	. M will not be entered or b\□	will be entered and an	evolunation of				
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Claim(s) rejected: 10-17, 22, 23, 25, 26, 28-37, 39 and 40. Claim(s) withdrawn from consideration: AFFIDAVIT OR OTHER EVIDENCE 8. The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e). 9. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1). 10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached. REQUEST FOR RECONSIDERATION/OTHER 11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because: 12. Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). 13. Other:									
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TECHINOLOGY CENTER 2000		Statement(s).		WENDY R. GARBER					
				CHUNOLOGY CENTER					

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